

**UNITED STATES COURT OF APPEALS**  
**Filed 8/15/96**  
**TENTH CIRCUIT**

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WILLIAM GARY MATTHEWS,

Plaintiff-Appellant,

v.

RON LYTLE, Associate Warden;  
SUSAN CHANCELLOR, Property  
Officer; LAWRENCE BARRERAS,  
Warden,

Defendants-Appellees.

No. 96-2006  
(D.C. No. CIV-95-1336-JP)  
(Dist. N.M.)

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**ORDER AND JUDGMENT\***

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Before **SEYMOUR**, Chief Judge, **KELLY** and **LUCERO**, Circuit Judges.

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After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9. The cause is therefore ordered submitted without oral argument.

Mr. William G. Matthews filed this pro se action under 42 U.S.C. § 1983,

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\*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions 10th Cir. R. 36.3.

alleging that several state prison officials were responsible for the theft of his personal property in violation of his right to due process and right against unreasonable search and seizure. The district court dismissed Mr. Matthew's complaint for failure to state a claim upon which relief can be granted. Matthews appeals.<sup>1</sup>

Mr. Matthews submitted an "Inmate Grievance Form" claiming that his hobby shop property, which was in a locked room, was stolen by unknown persons. The grievance was settled in favor of Mr. Matthews and he received compensation for the loss of his property. He asserts he received insufficient remuneration because the prison discounted the value of the property and ignored the work he had put into the finished product.

The district court held that Mr. Matthews had received a meaningful postdeprivation remedy and that there was consequently no constitutional violation, citing Hudson v. Palmer, 468 U.S. 517 (1984). We agree and AFFIRM substantially for the reasons given by the district court.

The mandate shall issue forthwith.

ENTERED FOR THE COURT

Stephanie K. Seymour  
Chief Judge

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<sup>1</sup> The district court granted Mr. Matthew's motion for leave to proceed *in forma pauperis* on appeal.